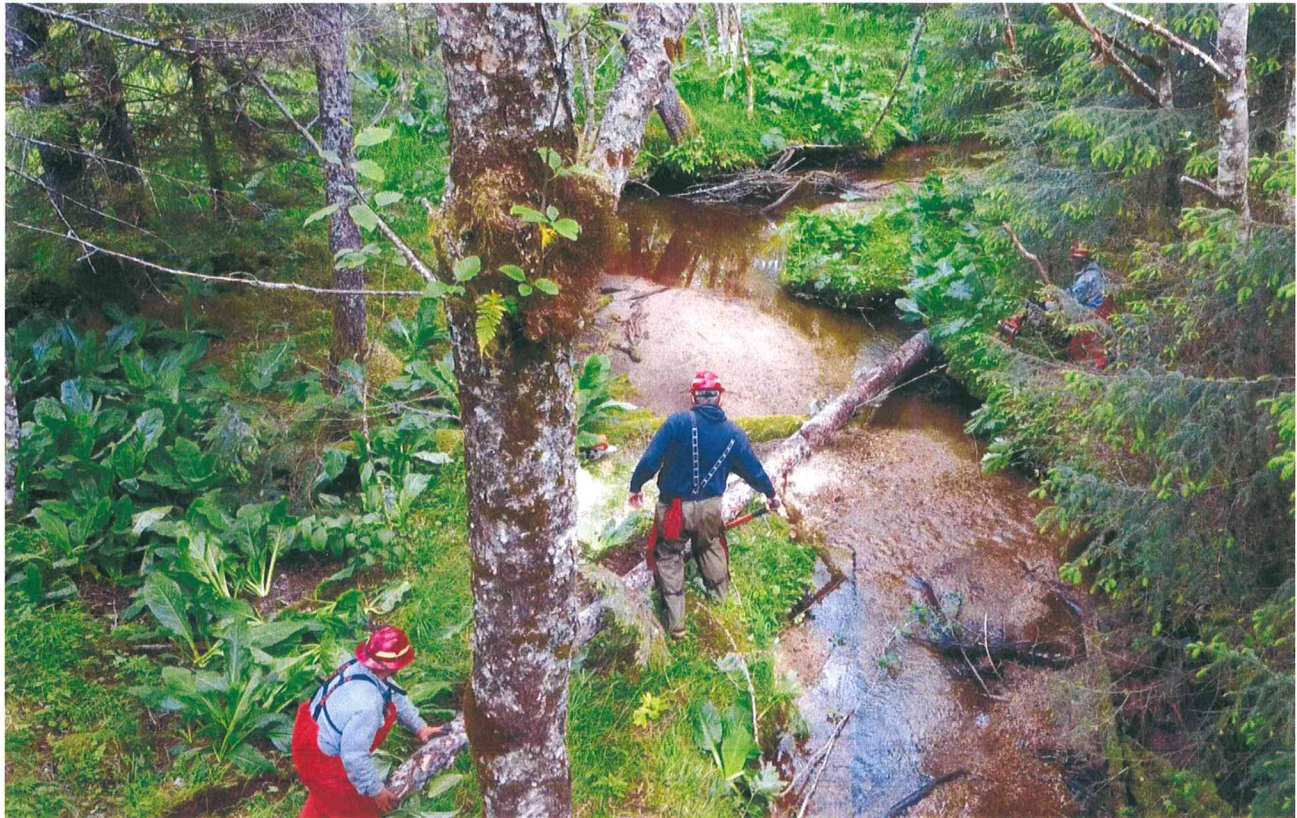


# DECISION NOTICE AND FINDING OF NO SIGNIFICANT IMPACT

## STREAM RESTORATION USING HAND TOOLS



Forest Service crew placing a spanner log across Iris Creek on Kruzof Island.

### Sitka Ranger District Tongass National Forest Sitka, Alaska

**Responsible Official:** Perry Edwards, District Ranger  
2108 Halibut Point Road Sitka, AK 99835  
907-747-6671

**For Information Contact:** Chris Leeseberg, Fisheries and Wildlife Biologist  
2108 Halibut Point Road Sitka, AK 99835  
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R10-MB-837c September 2019



## DECISION

Based upon my review of the Stream Restoration Using Hand Tools (SRUHT) Environmental Assessment (EA), I have decided to implement Alternative 2 the Proposed Action, which involves using mechanized hand tools (i.e. chainsaw and chainsaw-winch), as well as non-mechanized tools such as shovels, pick axes, and others, to restore and stabilize fish habitat using logs to build instream structures (i.e. wood debris) and enhance floodplain roughness. Targeted sites (restoration reaches) are Class I and Class II streams located within previously logged floodplain/riparian areas.

The proposed action includes harvesting logs from stands adjacent to the restoration reaches. Down and dead trees could also be used if close enough to desired restoration site. Trees typically range from 8 to 24 inches in diameter, and pieces used in structures typically range between 10 to 40 feet in length.

## DECISION RATIONALE

My decision to implement the Selected Alternative (Proposed Action) considered how best to meet the purpose and need for this project, the existing conditions within the project area, environmental effects, social values, and public comments. The conclusion is based on the project-specific environmental analysis included in the EA, and a review of the record that shows a thorough analysis using the best available science. The Selected Alternative meets the stated purpose and need within the framework of existing laws, regulations, policies, and the 2016 Forest Plan in relation to information disclosed in the EA and project record.

Council of Environmental Quality Regulation was reviewed for “significance” (40 CFR §1508.27) and determined that the decision is not an action that will significantly affect the quality of the human environment either individually or cumulatively; nor will this decision affect the quality of the human environment in either context or intensity. Therefore, an environmental impact statement (EIS) will not be prepared.

The Selected Alternative because it best meets the purpose and need and addresses the relevant concerns identified during project scoping. No modifications were made to the proposed action as a result of the comments received during the public scoping period.

The SRUHT EA documents the environmental analysis and conclusions upon which this decision is based.

## PUBLIC INVOLVEMENT

This action was originally listed as a proposal on the Tongass National Forest Schedule of Proposed Actions and updated periodically during the analysis. On January 31<sup>st</sup> tribal consultation letters describing the project and seeking input were mailed to 6 Southeast Alaska tribal entities and corporations. On February 22, 2019, a scoping letter providing a description of the project area, maps, the need for the proposal and a proposed action was posted on the project website. To alert the public of this scoping letter and to request public input, over 600 emails

were sent to subscribers of SRD projects, and postal letters were sent to those requesting hard copies. A legal notice announcing a 30-day comment period for the EA was published in the Daily Sitka Sentinel, the newspapers of record, on April 24<sup>th</sup>, 2019. The EA lists agencies and people consulted on page 12. Project record location: <https://www.fs.usda.gov/project/?project=55290>

## **FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS**

### **2016 Tongass Land and Resource Management Plan**

It was determined that this decision is consistent with the 2016 Tongass National Forest Land Management Plan. This project incorporates all applicable Forest Plan standards and guidelines and management area prescriptions as they apply to the project area and complies with Forest Plan goals and objectives. Interagency review and coordination occurred during project scoping and review of the EA. Further coordination with the Alaska Department of Fish and Game for Title 16 fish habitat concurrence and Department of the Army for application of a Nationwide Permit 27 will occur prior to project implementation.

### **Endangered Species Act (1973, as amended)**

It was determined that there will be no effects to species listed as threatened or endangered (or candidate species) pursuant to Section 4 of the Endangered Species Act of 1973, as amended. Therefore, consultation with the U. S. Fish and Wildlife Service or National Marine Fisheries Service is not required.

### **Bald and Golden Eagle Protection Act (1940, as amended)**

Management activities within bald eagle habitat will be in accordance to 50 CFR 22.26, National Bald Eagle Management Guidelines (2007). Once restoration sites are identified eagle nest surveys will be conducted prior to implementation. Mitigation for any potential take will be incorporated when and where needed. Therefore, it was determined that no significant effects will occur to bald or golden eagles in the project area.

### **National Historic Preservation Act of 1966**

A Forest Service archeologist reviewed this project and the Forest Service has made a determination of No Historic Properties Affected for the proposed project with implementation of project design features.

### **ANILCA Section 810 and Section 811, Subsistence Evaluation and Finding**

In compliance with Section 810 and 811 of the Alaska National Interest Lands Conservation Act of 1980 (ANILCA), a subsistence evaluation was conducted for the no action alternative and the proposed action for this project. The evaluation concluded the Stream Restoration Using Hand Tools project, including the Selected Alternative, will not have a significant possibility of a significant restriction to subsistence uses.



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### **Clean Water Act (1977, as amended)**

The Stream Restoration Using Hand Tools project will implement the most up-to-date BMP guidance to achieve Alaska Water Quality Standards. It was determined that this project fully complies with the Clean Water Act, and have therefore determined no significant impact to water quality is expected to occur from this decision.

### **Clean Air Act (1970, as amended)**

Emissions anticipated from the implementation of the Selected Alternative will be minor and of short duration and would not exceed State of Alaska ambient air quality standards (18 AAC 50). Therefore, it was determined that no significant impact to air quality is expected to occur from this decision.

### **Magnuson-Stevens Fishery Conservation and Management Act**

Essential Fish Habitat (EFH) consultation was initiated on February 1<sup>st</sup>, 2019. The Forest Service believes there will be short-term localized adverse effects such as sediment pulses and increased turbidity during instream construction of structures, but there will be no long-term adverse effects to EFH. There was a review of the potential effects of the Selected Alternative on EFH and it was determined this project will ultimately improve EFH by creating and maintaining complex fish habitat.

### **Executive Order 11988 (Floodplains), Executive Order 11990 (Wetlands)**

The project is located within floodplains of the targeted streams as identified in the proposed action. The project will not negatively impact the functional value of any floodplain as defined by Executive Order 11988 and will not have negative impacts on wetlands as defined by Executive Order 11990.

### **Executive Order 13007 – Indian Sacred Sites**

Tribal governments or their authorized representatives were consulted and they did not identify any specific sacred site locations within the project area.

### **Executive Order 13175 - Consultation and Coordination with Indian Tribal Governments**

District staff contacted and provided information to the following tribal governments about this project: Angoon Community Association, Hoonah Indian Association, and Sitka Tribe of Alaska. In addition, I provided information and an opportunity to consult with the following tribal corporations and institute about this project: Kootznoowoo Inc., Sealaska Corporation, Shee Attika and Sealaska Heritage Institute.

## **Executive Order 13186 – Migratory Birds**

This project was developed in adherence with the relevant principles and intent outlined in the Memorandum of Understanding with U.S. Fish and Wildlife Service (MOU; FS Agreement # 08-MU-1113-2400-264). Site-specific restoration locations will be reviewed prior to implementation. Migratory bird nests will be protected and disturbance in the area will be avoided if found prior to or during implementation.

## **FINDING OF NO SIGNIFICANT IMPACT**

The significance of environmental impacts must be considered in terms of context and intensity. This means that the significance of an action must be analyzed in several contexts such as society as a whole (human and national), the affected region, the affected interests, and the locality. Significance varies with the setting of the proposed action. In the case of a site-specific action, significance usually depends upon the effects in the locale rather than in the world as a whole. Intensity refers to the severity or degree of impact. (40 CFR 1508.27)

## **INTENSITY**

The intensity of effects was considered in terms of the following:

1. **Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that, on balance, the effect will be beneficial.** Neither adverse nor beneficial effects are significant in context or intensity to warrant an EIS for this project. The finding of no significant environmental effects is not biased by the beneficial effects of the action.
2. **The degree to which the proposed action affects public health or safety.** Based on the conclusions in the EA, it was determined that no significant impact will occur to public health and safety. Public use of most potential restoration sites is minimal. Project operations could have short-term adverse effects on recreational users of the area, but traffic delays or reroutes are not anticipated. The Forest Service will communicate when and where potential delays could occur if necessary.
3. **Unique characteristics of the geographic area, such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.** There will be no significant effects on unique characteristics of the area because the project does not enter any inventoried roadless areas. Additionally, no historic properties, park lands or farmlands are located within the area of potential effects for the project. No designated Wild and Scenic Rivers or Recreational Rivers occur in the project area or are affected by the project. The Selected Alternative will not affect the eligibility of any segments recommended for either Wild and Scenic River System or Recreational River designation, and no high-value wetlands will be affected by the project. Therefore, it was determined that there will be no significant effects on any unique characteristics of the area.
4. **The degree to which the effects on the quality of the human environment are likely to be highly controversial.** The effects on the quality of the human environment are not



likely to be highly controversial. There is no known credible scientific controversy over the impacts of the proposed action.

5. **The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.** The Forest Service has considerable experience with the types of activities to be implemented. The analysis shows the effects are not uncertain, and do not involve unique or unknown risk. Similar restoration work has been successfully implemented on the Sitka Ranger District and elsewhere on the Tongass National Forest. Based on this analysis, it was determined that no unique or unknown risks occur with this project, therefore there is no significant impact due to uncertainty or a possible unique or unknown risk.
6. **The degree to which the action may establish a precedent for future actions with significant effects, or represents a decision in principle about a future consideration.** This action is not likely to establish a precedent for future actions with significant effects, since the proposed activities are expected to have overall beneficial effects to project area watersheds. It was therefore determined that the Selected Alternative will not set precedent for future actions with significant impacts, nor will it represent a decision in principle about a future consideration.
7. **Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.** It was determined that the Selected Alternative will have individually insignificant impacts and cumulatively insignificant impacts as they relate to past, present, and reasonably foreseeable actions. All harvested stands on the district have regenerated. The limited timber harvest from this project contributes minimally to cumulative effects; furthermore, no significant cumulative effects were identified for any resource in the EA. Stream and floodplain habitat improvements should have long-term beneficial effects to project area aquatic and riparian habitats and aquatic organisms.
8. **The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed , or eligible for listing, in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.** It was determined that a finding of No Historic Properties Affected is appropriate for this project. The project meets the provisions stipulated in the Programmatic Agreement between the Forest Service, Alaska Region, the Advisory Council on Historic Preservation, and the State Historic Preservation Officer. Therefore, it was determined that no significant impacts will occur that adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or cause loss or destruction of significant scientific, cultural, or historical resources.
9. **The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.** It was determined that no significant impacts will occur that adversely affect an endangered or threatened species or its critical habitat.

A Biological Evaluation (BE) for fish and wildlife was completed for the Stream Restoration Using Hand Tools EA. It was determined the action will not adversely affect

any endangered or threatened species or critical habitat in the project area, and no project work is proposed for the marine environment.

No plants federally listed or proposed by the U.S. Fish and Wildlife Service are known or expected to occur in the Alaska Region; therefore, it was determined that no significant impacts will occur that adversely affect an endangered or threatened species or its habitat.

10. **Whether the action threatens to violate Federal, State, or local law or requirements imposed for the protection of the environment.** The following findings show the action does not violate federal, state, or local law requirements imposed for the protection of the environment and has been reviewed by federal and state agencies. The action is consistent with the Forest Plan.

After considering the effects of the actions analyzed, in terms of context and intensity, I have determined that these actions will not have a significant effect on the quality of the human environment. Therefore, an environmental impact statement will not be prepared.

## OBJECTION OPPORTUNITIES

This decision was subject to objection pursuant to 36 CFR 218, and a legal notice of the opportunity to object was published on May 31<sup>st</sup>, 2019 in the Sitka Sentinel and sent to those who provided comments during the project's development.

## IMPLEMENTATION DATE

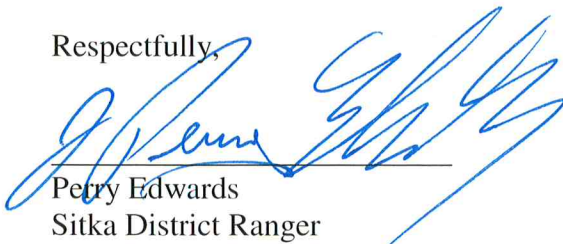
The 36 CFR 218 regulations provide for a pre-decision administrative review rather than a post-decision appeal process. The pre-decision review, the objection period, ended on July 15, 2019. No objections were filed.

Pursuant to 36 CFR 218.12, I may sign the decision notice five (5) business days after the close of the objection filing period. Implementation may begin immediately after this decision notice is signed. There is no requirement to publish notification of the decision.

## CONTACT

For additional information concerning this decision, contact: Chris Leeseberg, Fisheries and Wildlife biologist, Sitka Ranger District, 2108 Halibut Point RD Sitka Alaska 99835 p: 907-747-4343 e: christopher.leeseberg@usda.gov

Respectfully,

  
Perry Edwards  
Sitka District Ranger

September 25, 2019  
Date





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